

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SYMBOL TECHNOLOGIES, INC.,

Plaintiff,

v.

METROLOGIC INSTRUMENTS, INC.

Defendant.

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**Civil Action No.
2:05cv509(LED)
PATENT CASE**

**Honorable Leonard E. Davis
Honorable John D. Love**

STIPULATION AND ORDER OF DISMISSAL

The parties hereby advise the Court of the execution of a Settlement and Patent Cross License Agreement (the "Agreement") to conclude the above-referenced litigation. Pursuant to Fed. R. Civ. P. 41(a)(1)(ii) and subject to the terms and conditions of the Agreement, it is hereby stipulated by the parties that this action, including all claims and counterclaims, is dismissed with prejudice. Each party shall bear its own costs and attorneys' fees.

Dated: January 4, 2008

***Attorneys for Plaintiff,
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IT SO ORDERED.